



PATENT APPLICATION

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IN THE U.S. PATENT AND TRADEMARK OFFICE

January 26, 2004

Applicant(s): Philip E. NELSON et al.
For: METHOD AND APPARATUS FOR STERILIZING FOOD CONTAINERS
Serial No.: 10/658 098 Group: 1744
Confirmation No.: 9965
Filed: September 9, 2003 Examiner: Unknown
Atty. Docket No.: PU113

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

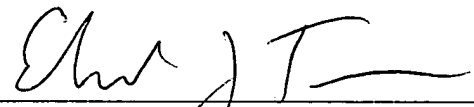
RESPONSE

This is a response to the Patent Office communication mailed
December 2, 2003, a copy of which is enclosed.
(Please see following pages.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450, on January 29, 2004.

Respectfully submitted,



Edward J. Timmer

Pursuant to 37 CFR 1.52, 1.53 and/or 1.62, this application was filed without at least one of the filing fee, the English language text and/or the oath or declaration, and was granted the serial number and filing date set forth in the caption of this response.

Accordingly, the items listed below are being submitted herewith:

☒ Copy of PTO communication mailed December 2, 2003.

☒ Declaration or Oath (2 Declarations, 2 pages each)

☐ Attached to the Declaration or Oath is a copy of the specification which was filed in the Patent Office in order to obtain a filing date for this application.

☐ Verified English translation of originally-filed foreign language text.

☒ **Applicants claim small entity status. See 37 CFR 1.27**

☒ A check for \$ 490.00 to cover fees.

☒ Assignment with Recordation Form Cover Sheet

☒ Replacement drawings (3 sheets)

☒ Acknowledgment Postal Card

☐ Priority is claimed under 35 USC 119 based on Application No. , filed .

☐ A certified copy of the priority application is enclosed.

☒ The filing fee is as follows:

☐ Design Application - ☐ \$330.00 (large entity)
☐ \$165.00 (small entity)

☐ Utility Application - as calculated below:

For	No. Filed	No. Extra	() LG Entity	RATE	(X) SM Entity	Fee
Basic Fee				\$770.00	\$385.00	\$ 385.00
Total Claims	(15 - 20 = 0)		x \$ 18.00		x \$ 9.00	
Indep. Claims	(2 - 3 = 0)		x \$ 86.00		x \$ 43.00	
[] Multiple Dep. Claim			+ \$290.00		+ \$145.00	
* * * TOTAL FILING FEE * * *						\$ 385.00

- ☒ The surcharge under 37 CFR 1.16(e) for late filing of the basic filing fee and/or the oath or declaration is as follows:
- ☐ \$130.00 (large entity)
 - ☒ \$ 65.00 (small entity)
- ☐ The fee under 37 CFR 1.17(k) for filing a foreign language text:
- ☐ was submitted previously.
 - ☐ is \$130.00 and is included in an enclosed check.
- ☐ Please charge my Deposit Account No. 20-1124 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1124. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16
 - ☐ Any patent application processing fees under 37 CFR 1.17
- ☐ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 20-1124. A duplicate copy of this sheet is enclosed.
- ☐ Any patent application processing fees under 37 CFR 1.17
 - ☐ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

IN DUPLICATE



Edward J. Timmer

EJT/ad

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Encl: Listed above



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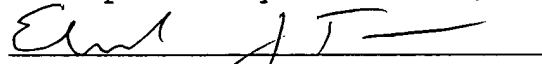
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REPLACEMENT DRAWINGS

Dear Sir:

In response to Notice Of Missing Parts mailed Dec. 2, 2003, enclosed are replacement sheets for the three (3) original as-filed drawing sheets having FIGS.1, 2, and 3. The replacement sheets have been amended to remove the descriptive legends as required by the Notice Of Missing Parts. Also, in FIG.1, the descriptions "Monitoring System" and "ClO₂ gas Generator" have been removed. Also, in FIG.2, the description "Monitoring System" has been removed. Also, in FIG.3, the descriptions "Monitoring System" and "Solution Pump" have been removed. Favorable consideration of the enclosed replacement sheets is requested.

Respectfully submitted,


Edward J. Timmer Reg. No. 27,402

5955 West Main street

Kalamazoo, Michigan 49009

encl: Replacement Sheets (3) and postal card

CERTIFICATE OF MAILING

I hereby certify that this correspondence and listed enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 29, 2004.


Edward J. Timmer